

REMARKS/ARGUMENTS

Claims 1 – 28 and 33 – 112 were pending in the case at the time of mailing the present Office Action. Claims 16 and 18 have been cancelled. Claims depending on Claim 18 have been amended to depend on Claim 1.

The Office Action has rejected claims 1-28 and 33-88 under 35 USC 101. Independent claim 1 has been amended to overcome the rejection under 35 USC 101.

The Office Action has rejected claims 1 – 28 and 33 – 112 under 35 USC 103(a) as being obvious over U.S. Patent No. 6,115,509 to Yeskel in view of U.S. Publication No. 2003/0208421 to Vicknair et al.

Interview Summary

Applicant appreciates the courtesies extended to Applicant's counsel during a telephone interview on September 19, 2006. The substance of that interview is as follows:

- 1) The interview included a discussion of the rejection under 35 USC 101 and whether the Vicknair reference is prior art.
- 2) Claim 1 was discussed.
- 3) The Vicknair reference was discussed with Applicant's counsel noting that Vicknair is not prior art.
- 4) Applicant's counsel and the Examiners discussed amendments to Claim 1 that would overcome the rejection under 35 USC 101.
- 5) See the additional Remarks/Arguments below.
- 6) No other pertinent matters were discussed.
- 7) Consistent with the interview, Applicant would file a Reply and Amendment.

The Vicknair reference is not prior art under 35 USC 102(a) because the publication date of Vicknair, November 6, 2003, is not before the effective filing date of the present application, which is April 14, 2000.

The Vicknair reference is not prior art under 35 USC 102(b) because the publication date of Vicknair, November 6, 2003, is not more than one year before the effective filing date of the present application, which is April 14, 2000.

The Vicknair reference is not prior art under 35 USC 102(e)(1) because the effective filing date of Vicknair, June 26, 2000, is not before the effective filing date of the present application, which is April 14, 2000.

Accordingly, the Vicknair reference is not prior art and the rejection under 35 USC 103(a) should be withdrawn.

Applicant notes that the specification has been amended to include a cross reference to a related application, from which priority has been claimed.

Conclusion

Applicant believes that the rejections have been successfully overcome, and the application has been placed in condition for immediate allowance of Claims 1 – 15, 17, 19-28 and 33 – 112. Such action is respectfully requested. However, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,



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Date: 9.20.06
File No.: W3688-025 (formerly S4770-103)